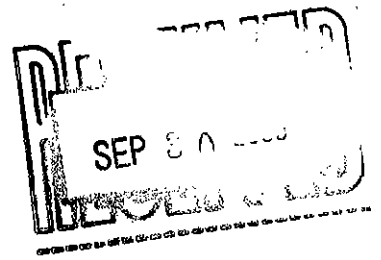


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA



FRIENDS OF THE EARTH, INC., *et al.*,

Plaintiffs,

v.

GASTON COPPER RECYCLING
CORPORATION,

Defendant.

Civil No. 3:92-2574-O

AFFIDAVIT OF GUY JONES

I, Guy Jones, do affirm and state:

1. I previously executed two affidavits in this case, one on September 30, 2003 and one on May 29, 2008, stating that I have used the North Fork of the Edisto River at its confluence with Bull Swamp Creek. I understand that defendant Gaston Copper Recycling Corporation has raised a question as to the dates I have taken trips to this confluence, specifically, whether I visited the confluence prior to September 22, 2002, the date of Wilson Shealy's death. The purpose of this affidavit is to explain that I have been making trips to the confluence since the 1980's, and, therefore, I certainly visited the confluence prior to September 22, 2002.

2. In my May 29, 2008 affidavit, I stated that I have been guiding trips on the Edisto River for approximately 25 years for my business River Runner Outdoor Center. I stated that one of the routes I have taken begins at Slab Landing Road and includes the point of the confluence of Bull Swamp Creek and the North Fork of the Edisto River.

3. I specifically stated in my May 29, 2008 affidavit that I guided a trip on the route including the confluence in 2000. This trip included Russian citizens on an exchange program

operated by the University of South Carolina. I recall that this trip took place on or about March 11, 2000, because that was the date of my 50th birthday. Therefore, I personally visited the confluence of Bull Swamp Creek and the North Fork of the Edisto River in 2000.

4. I began making trips to the confluence of Bull Swamp Creek and the North Fork of the Edisto River in the 1980's and continued making trips to that location in the 1990's and 2000's. In other words, I have used the North Fork of the Edisto River at its confluence with Bull Swamp Creek for approximately 25 years. I have guided hundreds of trips over the past 25 years and it is therefore difficult for me to remember the specific dates of my trips to the confluence.

5. As stated in my May 29, 2008 affidavit, I also took a trip to the confluence with Brent Blackwelder, President of Friends of the Earth, and Robert Guild, one of plaintiffs' counsel in this case. This trip took place in approximately 1999.

6. I also reaffirm my intention, stated in my May 29, 2008 affidavit, to continue taking trips to the confluence of Bull Swamp Creek and the North Fork of the Edisto River in the future. It is truly a beautiful area. The water quality at the confluence and in the surrounding area is important to me for both business and personal reasons.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on September ²⁵~~26~~, 2008.

GUY JONES

A handwritten signature in black ink, appearing to read 'Guy Jones', is written over a horizontal line. The signature is stylized with a large initial 'G' and a long, sweeping underline.